

ORDINANCE NO. 7503

ORDINANCE ANNEXING TERRITORY TO THE CITY OF EAU CLAIRE.

THE CITY COUNCIL OF THE CITY OF EAU CLAIRE DOES ORDAIN AS FOLLOWS:

WHEREAS, the petitioned annexation is in the public interest, and is consistent with sound regional growth; and

WHEREAS, the territory petitioned for annexation is contiguous to the City of Eau Claire and is by shape, use, zoning, and homogeneity best served by the City of Eau Claire and consistent with statutory and legal standards for such annexations in the State of Wisconsin; and

WHEREAS, the City of Eau Claire is the second fastest growing city in the State of Wisconsin among cities with a population over 40,000 and additional land within the City of Eau Claire is needed to support such growth in an orderly, compact, efficient, and reasonable manner; and

WHEREAS, the Wisconsin Department of Administration reports that Eau Claire County was one of just 7 counties in Wisconsin that grew by over 2,000 residents between the 2020 and 2022 census; and

WHEREAS, the City of Eau Claire is expected to continue to grow in residents through at least 2027 according to respected demographic tracking sources adding additional need for housing units to what is a current deficit and recognized need for housing constructed at all income levels; and

WHEREAS, it is in the strong public interest that such growth occur in the petitioned territory on a more compact and sustainable growth pattern within the City of Eau Claire to protect our shared environment and especially the regional groundwater as Eau Claire County soil data indicates the subsurface soils in this area are not well suited for private septic systems, and the City of Eau Claire has a recently upgraded, state of the art, highly rated wastewater treatment plant that has adequate capacity to serve the annexation territory; and

WHEREAS, the City of Eau Claire is well positioned to provide municipal services necessary to support the expected growth and development in the proposed annexation territory including already providing the area with EMS emergency care, the timeliest available fire response from an upgraded station, a highly regarded police department, nearby city parks, a safe street and sidewalk system augmented by the state's second largest municipal trail systems; and

WHEREAS, all the electors and all of the private landowners that own all of the assessed value in the territory and more than 70% of the land by area, have petitioned for annexation expressing their preference to exercise their property and political rights within the City of Eau Claire;

NOW THEREFORE, it is hereby resolved as follows:

Section 1. Territory Annexed. In accordance with Section 66.0217 of the Wisconsin Statutes, the following described territory in the Town of Washington, Eau Claire County, Wisconsin, is annexed to the City of Eau Claire, Wisconsin.

STEWART/HAUGE/CDPG DEVELOPERS, LLC ANNEXATION (Petition #14570)
Town of Washington

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 4, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 9, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 10, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 8, TOWNSHIP 26 NORTH, RANGE 9 WEST, ALL IN THE TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN. INCLUDING PART OF CERTIFIED SURVEY MAP NUMBER 3570, RECORDED IN VOLUME 20 OF CERTIFIED SURVEY MAPS ON PAGE 141-145 AS DOCUMENT NUMBER 1191808, PART OF OAK RIDGE RECORDED IN VOLUME 9 OF PLATS ON PAGE 18 AS DOCUMENT NUMBER 352050, ALL OF CERTIFIED SURVEY MAP NUMBER 780, RECORDED IN VOLUME 4 OF CERTIFIED SURVEY MAPS, ON PAGE 122-123, AS DOCUMENT NUMBER 610963. THE PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the East Quarter Corner of said Section 4;
Thence S88°42'51"W, 1294.31 feet along the East-West Quarter line of said Section 4 to the Point of Beginning;
Thence continuing along said East-West Quarter line S88°42'51"W, 1945.62 feet to the Northeast Corner of Certified Survey Map Number 1960, recorded in Volume 10 of Certified Survey Maps, on Pages 343-344, Document Number 837346;
Thence S01°14'06"W, 954.15 feet along the West line of said Certified Survey Map Number 1960 and a southerly extension thereof, to the North Corner of Lot 2, Certified Survey Map Number 1037, recorded in Volume 5 of Certified Survey Maps on Pages 274-275, as Document Number 665917, and the southwesterly right-of-way line of South Lowes Creek Road;
Thence S48°24'26"E, 306.50 feet along said right-of-way line;
Thence 394.93 feet along said right-of-way line and the arc of a curve, concave northeasterly, with

a chord bearing of S63°15'10"E, a chord length of 390.53 feet, and a radius of 762.10 feet;
Thence S78°05'55"E, 96.46 feet along said right-of-way line;
Thence N88°41'18"E, 1204.62 feet along the southerly right-of-way line of South Lowes Creek Road;
Thence S52°50'23"E, 78.29 feet to the westerly right-of-way line of South Lowes Creek Road;
Thence S14°22'38"E, 657.70 feet along said westerly right-of-way line;
Thence S11°02'38"E, 602.62 feet along said westerly right-of-way line;
Thence S11°00'08"E, 469.77 feet along said westerly right-of-way line;
Thence N78°30'43"E, 392.91 feet;
Thence S11°00'17"E, 402.60 feet;
Thence S78°30'43"W, 392.93 feet to the westerly right-of-way line of South Lowes Creek Road;
Thence S11°00'08"E, 370.61 feet along said right-of-way line, to the northerly right-of-way line of Evergreen Terrace;
Thence S87°08'22"W, 1322.41 feet along said northerly right-of-way line;
Thence S57°32'56"W, 181.55 feet along the northwesterly right-of-way line of Evergreen Terrace;
Thence 143.78 feet along said right-of-way line and the arc of a curve, concave northwesterly, with a chord bearing of S62°13'08"W, a chord length of 143.62 feet, and a radius of 882.00 feet;
Thence S66°53'20"W, 182.49 feet along said right-of-way;
Thence 88.98 feet along said right-of-way and the arc of a curve, concave southeasterly, with a chord bearing of S52°09'14"W, a chord length of 88.01 feet, and a radius of 173.00 feet to a point on the East line of said Southeast Quarter of the Northwest Quarter;
Thence S00°18'57"E, 550.20 feet along said East line, to a point on the easterly extension of the southerly right-of-way line of Rainetta Drive;
Thence S88°24'33"W, 307.21 feet along the southerly right-of-way line of Rainetta drive to the northeast corner of Certified Survey Map 2245, recorded in Volume 12 of Certified Survey Maps, on Page 143 as Document Number 919517;
Thence S01°34'32"E, 249.88 feet to the southeast corner of said Certified Survey Map Number 2245;
Thence S83°52'51"W, 252.46 feet along the southerly line of said Certified Survey Map Number 2245;
Thence S88°25'21"W, 726.08 feet to the southwest corner of said Certified Survey Map Number 2245 and the southeast corner of Certified Survey Map Number 999, recorded in Volume 5 of Certified Survey Maps, on Page 204-205 as Document Number 657951;
Thence S88°23'51"W, 683.18 feet to the Southwest corner of Certified Survey Map recorded in Volume 1, on Page 174 and the southeast corner of Wood Crest Highlands 2nd Addition recorded in Volume 11 of Plats, on Page 27 as Document Number 421167;
Thence S88°33'52"W, 633.86 feet to the Southwest Corner of said Wood Crest Highlands 2nd Addition and the West line of the Northwest Quarter of said Section 9;
Thence S00°06'08"W, 290.50 feet to the West Quarter Corner of Section 9;
Thence S00°37'33"W, 1322.67 feet to the southwest corner of said Northwest Quarter of the Southwest Quarter;
Thence S89°29'28"W, 1969.50 feet;
Thence S89°23'23"W, 665.26 feet to the West line of the Southeast Quarter of said Section 8;
Thence S00°56'51"W, 66.08 feet along said West line;
Thence N89°26'19"E, 495.22 feet;

Thence S00°58'53"W, 444.46 feet;
 Thence N89°57'54"E, 212.07 feet;
 Thence S01°07'29"E, 762.12 feet to the South line of the Southeast Quarter of said Section 8;
 Thence S89°04'56"E, 1906.92 feet to the Southwest Corner of said Section 9;
 Thence N88°02'22"E, 2642.12 feet to the South Quarter Corner of said Section 9;
 Thence N00°18'57"W, 2647.28 feet along the East line of the Southwest Quarter of said Section 9;
 Thence N87°57'41"E, 1894.05 feet along the South line of the Northeast Quarter of said Section 9;
 Thence N00°53'58"E, 208.00 feet;
 Thence N87°57'41"E, 194.52 feet to the westerly right-of-way line of South Lowes Creek Road;
 Thence S16°43'11"E, 214.74 feet along said right-of-way line to the South line of said Northeast Quarter;
 Thence N87°57'41"E, 379.00 feet to the East Quarter Corner of said Section 9;
 Thence S87°23'19"E, 338.60 feet along the South line of the Northwest Quarter of said Section 10 to the easterly right-of-way line of South Lowes Creek;
 Thence N53°07'37"W, 64.19 feet along said right-of-way;
 Thence 213.17 feet along said right-of-way and the arc of a curve, concave southwesterly, with a chord bearing of N63°53'45"W, a chord length of 212.29 feet, and a radius of 676.62 feet;
 Thence N72°55'17"W, 189.80 feet along said right-of-way;
 Thence 564.42 feet along said right-of-way and the arc of a curve, concave northeasterly, with a chord bearing of N45°49'10"W, a chord length of 543.61 feet, and a radius of 596.62 feet;
 Thence N23°20'44"W, 86.76 feet along said right-of-way;
 Thence N16°28'50"W, 47.93 feet along said right-of-way;
 Thence N01°34'15"E, 106.62 feet along said right-of-way to a point lying 25 feet, more or less, northeasterly of the thread of an unnamed tributary to Lowes Creek and the beginning of a meander line;
 Thence N45°31'11"E, 757.83 feet along said meander line, to a point lying N87°39'09"W, 95 feet, more or less, along the North line of the Southwest Quarter of the Northwest Quarter, said Section 10, from the thread of an unnamed tributary to Lowes Creek and the end of said meander line;
 Thence N00°53'58"E, 1314.44 feet along the East line of the Northeast Quarter of said Section 9 to the Northeast Corner of said Section 9;
 Thence N01°24'55"E, 1590.65 feet along the East line of the Southeast Quarter of said Section 4 to a point lying 59 feet, more or less, southerly of the northerly ordinary high water mark of Lowes Creek and the beginning of a meander line;
 Thence N87°40'04"W, 1004.80 feet along said meander line;
 Thence N41°30'35"W, 422.90 feet along said meander line to the West line of the Northeast Quarter of the Southeast Quarter of said Section 4, and a point lying 60 feet, more or less, southerly of the said ordinary high water mark;
 Thence N01°23'53"E, 643.35 feet to the Point of Beginning.

Said parcel contains 19,094,359 square feet or 438.34 total acres, more or less, including those lands lying between the property line and meander line.

Current population of such territory is two (2).

Section 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be part of the City of Eau Claire for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Eau Claire.

Section 3. Temporary Zoning Classification. The privately owned territory annexed to the City of Eau Claire by this ordinance is temporarily designated to be R-1A -- Non-Sewered One-Family Dwelling District for zoning purposes while the territory owned by Eau Claire County for the continued use as Lowes Creek County Park is so designated to be P—Public, with all subject to all provisions of the zoning ordinance of the City of Eau Claire relating to such district classification and to zoning in the city.

Section 4. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the 15th Assessment Ward and the 2nd Aldermanic District of the City of Eau Claire, subject to all ordinances, rules and regulations of the city governing wards and districts.

Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

(SEAL) President Terry L. Weld
(SEAL) City Manager Stephanie A. Hirsch
(ATTESTED) City Clerk Nicholas L. Koerner

First Reading March 14, 2023
Final Reading March 28, 2023
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